

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WILMINGTON DIVISION

IN RE:

CASE NO.:

CLIFTON CRAIG MCALLISTER

13-04160-8-SWH  
CHAPTER 13

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**FOURTH MOTION TO MODIFY PLAN AFTER CONFIRMATION**

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NOW COMES the Debtor, by and through counsel undersigned, and hereby moves to modify his Chapter 13 plan after confirmation upon the following grounds:

1. Mr. McAllister's Chapter 13 petition was filed on July 2, 2013.
2. His Chapter 13 plan was confirmed on September 24, 2013 and modified on June 6, 2014, September 3, 2014 and December 23, 2014.
3. Mr. McAllister was terminated from his full-time employment without notice on or about August 7, 2017, when his employer lost its program funding and, soon thereafter, closed. After months of searching for employment, Mr. McAllister was hired recently as the regional case manager for a health insurance company. His compensation is determined on a per-client basis and will increase over time as his caseload grows. Mr. McAllister also seeks to apply any 2017 tax refunds to which he becomes entitled to his Chapter 13 plan.
4. This proposed modification intends to bring the plan current and to extend the plan by two months, by having the plan commence 60 months from the date of confirmation.
5. The proposed plan modification as set forth in this Motion does not adversely affect any unsecured creditors in this case.
6. In accordance with the aforesaid, the Debtor's plan requires modification pursuant to 11 U.S.C. §§ 1322 and 1325 whereby the Debtor shall pay:

\$951 for 53 months and  
\$2,109 for 7 months, beginning March 1, 2018.

WHEREFORE, the Debtor prays the Court that he be permitted to modify his plan to reflect the schedule of payments as set forth above.

Dated: February 8, 2018

FINANCIAL PROTECTION LAW CENTER

By: /s/ Maria D. McIntyre  
Maria D. McIntyre  
N.C. State Bar No. 24407  
P.O. Box 390, Wilmington, NC 28402  
Telephone: (910) 442-1010  
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*Attorneys for Debtor*

UNITED STATES BANKRUPTCY COURT  
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**NOTICE OF FOURTH MOTION TO  
MODIFY PLAN AFTER CONFIRMATION**

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**NOTICE IS HEREBY GIVEN** of the Fourth Motion for Modification of Plan After Confirmation (“Motion”) filed simultaneously herewith in the above-captioned case by the Debtor(s), a copy of which motion is attached hereto; and

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the relief sought in Motion, or if you want the Court to consider your views on the Motion, then on or before March 5, 2018, unless otherwise ordered, you or your attorney must file with the Court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at: U.S. Bankruptcy Court, P.O. Box 791, Raleigh, NC 27602. (As a Filing User of the Court’s Electronic Case Filing System you may be required to electronically file a response). If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above. You must also mail a copy to the attorney whose name appears at the bottom of this notice and to other parties in interest.

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the Motion at a date, time and place to be later set and all parties will be notified accordingly. Any party filing a response to the Motion shall appear at any hearing in support of the objection or may be assessed with costs.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

Dated: February 8, 2018

FINANCIAL PROTECTION LAW CENTER

By: /s/ Maria D. McIntyre  
Maria D. McIntyre  
P.O. Box 390  
Wilmington, NC 28402  
(910) 442-1010, Ext. 102  
Facsimile: (910) 442-1011  
*Attorneys for Debtor*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing

**FOURTH MOTION TO MODIFY PLAN AFTER CONFIRMATION  
AND NOTICE OF MOTION**

In the above captioned case were this day served upon the below named persons as follows:

By electronic service through CM/ECF:

Joseph A. Bledsoe, III  
Chapter 13 Trustee

By mailing, postage prepaid, first class mail, of a copy of such instrument(s) to such persons,  
parties and/or counsel at the address shown below:

Clifton Craig McAllister  
1022 Dock Street  
Wilmington, NC 28401

Dated: February 8, 2018

FINANCIAL PROTECTION LAW CENTER

By: /s/ Maria D. McIntyre  
Maria D. McIntyre  
*Attorneys for Debtor*